IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 8077 of 2004

Between:

A. Ravindar, S/o. Ramaiah, R/o. Potireddypalli, Sangareddy, Medak District.

... PETITIONER

AND

1. The Chairman and Managing Director, Central Power Distribution Company, of A.P. Singareni Bhaban, Red-hills, Hyderabad.
2. The Superintending Engineer, Operation, A.P. Central Power Distribution Company, Circle Medak at Sangareddy.

...RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more in the nature of Writ of Certiorari calling for the records relating to the Proceedings of the 2nd respondent bearing Lr.No.SE/OP/MDK/PO/ADM/D.No. 2025/2003 dated 12-12-2003 and quash the same and consequently direct the respondents to appoint the petitioner herein as Sub-Engineer in the vacancies available under the control of the respondents.

Counsel for the Petitioner: M/s.E.V.S.S.ACHARYULU.

Counsel for the Respondents: MR. S.RAVINDRANATH.

The Court made the following:

ORDER:

The petitioner questions the order of the second respondent dated 12-12-2003 in rejecting his case for appointment of the post of Sub-Engineer. In the said order, the case of the petitioner is rejected on the ground that the service certificate issued by the contractor is verified and it is found that the agreements entered into by the said contractor with APSEB/APCPDCL is not tallying as per the BP.Ms.No.36, dated 18-5-1997. Therefore, the request of the petitioner for appointment is negatived.

It is stated that the proprietor of M/s.Shabari Electricials & Mechanical Engineering Works, Sangareddy ,Medak District has issued experience certificate dated 20-3-1998 stating that the petitioner has worked in their Engineering Works as Electrical Assistant , Mechanic under 33 KV and 11 KV. and also LT working in Operation and Mechanical and Eectrical Works in APSEB from January,1997 to December,1998. The said certificate was countersigned by the officials of the Assistant Divisional Engineer, Sangareddy, with reference to K2 agreement No. 106/97-98 and 101/97-98 in Operation Section, Rural Sangareddy in respect of the works of 11 KV & L.T.Lines.

The learned counsel appearing for the petitioner submitted that against the similar order dated 12-12-2003, W.P.No.801 of 2001 was filed and this Court while setting aside the said order, directed to consider the case of the petitioner therein for appointment to the post of Sub-Engineer or any other suitable post as per the orders in BP.Ms.No.36, dated 18-5-1997.

Having regard to the facts and circumstances of the case, the writ petition is

disposed of by setting aside the impugned order dated 12-12-2003, and directing the second respondent to consider the case of the petitioner for appointment to the post of Sub-Engineer or any other suitable post on existing or future vacancies without giving preference to the objections raised in the said impugned order, subject to compliance of all conditions as mentioned in BP.Ms.No.36 dated 18-5-1997. No order as to costs.

---------- V.ESWARAIAH, J.

dvs/stp

20-8-2004.

Stp/dvs

1. The Chairman and Managing Director, Central Power Distribution Company, of A.P. Singareni Bhaban, Red-hills, Hyderabad.
2. The Superintending Engineer, Operation, A.P. Central Power Distribution Company, Circle Medak at Sangareddy.

3. Two CD copies.